



August 18, 2016

BY ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: *Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership*, IB Docket No. 16-155

Dear Ms. Dortch:

EchoStar Satellite Services L.L.C. and Hughes Network Systems, LLC (together with their affiliates, “EchoStar”) submit this letter in response to the above-captioned Notice of Proposed Rulemaking (“*Notice*”).¹ In the *Notice*, the FCC seeks comment on its proposal that it maintain its present policy of not referring non-common carrier earth station applications to the Executive Branch for Team Telecom review.² EchoStar strongly supports the FCC’s proposal, and urges the Commission to refrain from seeking foreign ownership review for non-common carrier earth stations.³

Non-common carrier earth station applications are not subject to the foreign ownership requirements of Section 310(b) of the Communications Act of 1934, as amended, or to other FCC rules requiring foreign ownership disclosure. Consequently, as the FCC notes, applications for non-common carrier earth station licenses are not currently subject to Team Telecom review.⁴ Expanding the types of applications referred to the Executive Branch to include non-common carrier earth station applications lacking any reportable foreign ownership would slow, rather than expedite, the Team Telecom review process. In addition, there would be no statutory basis for subjecting non-common carrier earth stations to such review.

¹ *Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership*, Notice of Proposed Rulemaking, FCC 16-79 (rel. June 24, 2016).

² *Id.* ¶ 15.

³ See Comments of EchoStar Satellite Services L.L.C. and Hughes Network Systems, LLC, IB Docket No. 16-155 (filed May 23, 2016).

⁴ *Notice* ¶ 15.



EchoStar applauds the FCC for taking steps to improve the timeliness and transparency of the Team Telecom referral process, and fully endorses its proposal not to require foreign ownership review of non-common carrier earth stations.

Respectfully submitted,

/s/ Jennifer A. Manner

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